

**SUMMARY REPORT DIGEST**  
**CHICAGO POLICE DEPARTMENT**LOG NO  
**1075444**TYPE  
**CR**DATE OF REPORT  
**28-JUL-2015**

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

**TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY**

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
ABRUZZESE, WILLIAM	9182			113	

REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 936 N. ASHLAND AVE, CHICAGO, IL 60622	DATE / TIME: 01-JUN-2015 11:06	BEAT: 1213
---	--------------------------------	------------

**ACCUSED**

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
OLSZANSKI, JAMES T	9161	18448		012		M / WHI	-1969	-1996	YES	YES
POHOLIK, ROBERT J	9161	10721		012		M / S	-1966	-1992	YES	YES

**REPORTING PARTY**

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				F / BLK	

**VICTIMS**

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				F / BLK	
				M / BLK	

**WITNESSES**

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				M / BLK	
				M / BLK	

\* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

**ALLEGATIONS**

SEE PAGE 3

## SUMMARY

SEE PAGE 3

## ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
8-9, 15-16	19-28, 34, 39	36, 39	44


## FINDINGS - RECOMMENDATIONS

Accused Officer #1: Officer James Olszanski #18448  
Allegations #1-7: Unfounded

Accused Officer #2: Officer Robert Poholik #10721  
Allegations #1-9: Unfounded

Accused Officer #3: Unknown Officer  
Allegation #1: Unfounded

Approved by:



DATE INITIATED  
(Date incident was received for investigation)

08-JUN-2015

DATE COMPLETED (Date of this report)

28-JUL-2015

ELAPSED TIME  
(Total time expressed in days)

50

Investigator will initiate the Command Channel Review form by  
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

 #170

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

**ALLEGATIONS:**

On 01 June 2015, at 1436 hours, the complainant, [REDACTED], registered a complaint with Supervisor [REDACTED] via telephone. The complainant alleged that on 01 June 2015 at approximately 1110 hours, at the location of [REDACTED], [REDACTED], **Officer James Olszanski #18448;**

- 1) Stated words to the effect of, "Move the fuck around. You all need to get off school grounds," towards [REDACTED], on 29 May 2015,
- 2) Stated words to the effect of, "Get the fuck back," towards her,
- 3) Threw [REDACTED] to the floor,
- 4) Twisted [REDACTED] arm while it was handcuffed,
- 5) Pushed [REDACTED] face against a chalkboard,
- 6) Scratched [REDACTED] neck, and
- 7) Refused to provide his name and badge number when requested.

The complainant further alleged that on the same date and time and at the same location, an **Officer Robert Pohlenk #10721;**

- 1) Stated words to the effect of, "Move the fuck around. You all need to get off school grounds," towards [REDACTED], on 29 May 2015,
- 2) Threw [REDACTED] to the floor,
- 3) Handcuffed [REDACTED] too tightly,
- 4) Twisted [REDACTED] arm while he was handcuffed,
- 5) Scratched [REDACTED] neck,
- 6) Pushed [REDACTED] face against a chalkboard,
- 7) Stated words to the effect of, "Tell your son to calm the fuck down,"
- 8) Stated words to the effect of, "You all need to get her the fuck out of here," and
- 9) Refused to provide his name and badge number when requested

The complainant further alleged that on the same date at the 012<sup>th</sup> District Station, an **Unknown Officer;**

- 1) Made an obscene gesture by displaying his middle finger at [REDACTED].

**INVESTIGATION:**

In a statement with IPRA on 02 June 2015, **Complainant** [REDACTED] related she went to [REDACTED] after she received a telephone call from her son, now known to be [REDACTED]. Ms. [REDACTED] entered the school and proceeded to the conference room where she observed an officer, now known to be Officer James Olszanski #18448, standing at the door. Ms. [REDACTED] asked Officer Olszanski "Is my son [REDACTED] in this room? I need to get in this room." Officer Olszanski responded by stating words

---

<sup>1</sup> [REDACTED], Page 6, Lines 10-12

to the effect of, "No, you need to stay the fuck back."<sup>2</sup> Ms. [REDACTED] responded by stating, "No, you need to stay the fuck back. I need to get in this room where my son is."<sup>3</sup> An unknown officer exited the conference room and as he did this, Ms. [REDACTED] "aggressively burst"<sup>4</sup> through the door and entered the conference room. Once inside the room, Ms. [REDACTED] observed her son lying on the floor, with an officer, now known to be Officer Robert Poholik #10721, on top of him with his knee in his back. Ms. [REDACTED] related that an officer grabbed Mr. [REDACTED] arm, which was already handcuffed, and began twisting it, but she could not identify the officer. Officers Olszanski and Poholik then picked Mr. [REDACTED] off the floor, in which Mr. [REDACTED] began referring to the officers as "bitch ass niggers."<sup>5</sup> Officer Poholik responded by squeezing the handcuffs tighter on Mr. [REDACTED]. Officer Poholik then stated words to the effect of, "Tell your son to calm the fuck down."<sup>6</sup> Ms. [REDACTED] responded by stating, "You all need to calm the fuck down..."<sup>7</sup> Officer Poholik replied by stating words to the effect of, "You all need to just get her the fuck out of here."<sup>8</sup> Ms. [REDACTED] responded by stating, "I'm not going no fucking where."<sup>9</sup> Officer Poholik then pushed Mr. [REDACTED] face into the chalkboard. Several unknown officers entered and removed Mr. [REDACTED], as well as two other students, now known as [REDACTED] and [REDACTED] from the school. Several hours later, Ms. [REDACTED] learned that her son was transported to [REDACTED] to received medical treatment. Ms. [REDACTED] went to [REDACTED] and observed a big knot on Mr. [REDACTED] forehead, bruises on his neck and his pants were ripped. When Ms. [REDACTED] requested the officers' badge numbers and the officers responded that all the information would be on the reports. (Atts. #8, 9)

In a statement with IPRA on 02 June 2015, Victim [REDACTED] related on 29 May 2015, he was waiting outside of [REDACTED] located in [REDACTED] for his friend. The friend, now known to be [REDACTED] arrived and they stood outside of the school with some other friends. Mr. [REDACTED] related a few police officers, now known to be Officers James Olszanski #18448 and Robert Poholik #10721 approached them and told them that they needed to leave the school grounds. Mr. [REDACTED] friend stated words to the effect of, "We don't fuck with police. Just get out of our face."<sup>10</sup> The officers responded by stating words to the effect of, "Move the fuck around. You all get off the school grounds."<sup>11</sup> Mr. [REDACTED] admitted to "mouthing off"<sup>12</sup> to the officers after they were told to leave the school grounds. On 01 June

- 2 [REDACTED] Page 6, Line 12
- 3 [REDACTED] Page 6, Lines 14-15
- 4 [REDACTED] Page 9, Line 6
- 5 [REDACTED] Page 11, Line 23
- 6 [REDACTED] Page 14, Line 24.
- 7 [REDACTED] Page 15, Line 1
- 8 [REDACTED] Page 15, Lines 13-14
- 9 [REDACTED] Page 15, Lines 14-15
- 10 [REDACTED] Page 6, Lines 12-13
- 11 [REDACTED] Page 6, Lines 18-20
- 12 [REDACTED] Page 7, Lines 17-19

2015, Mr. [REDACTED] was attending class at [REDACTED], when he was removed from the class by school security and escorted to a conference room on the second floor. Mr. [REDACTED] alleged that when he entered the room Officer Poholik slammed him on to a table and placed handcuffs on him. Mr. [REDACTED] further alleged that he was attempting to walk towards the door to speak to his mother when Officer Olszanski grabbed him and pushed him causing his forehead to hit the chalkboard. While at the 12<sup>th</sup> District, an unknown police officer stuck his middle finger up towards him while he was locked up in the cell. Mr. [REDACTED] sustained a scratch to the side of his neck and an injury to his forehead. (Atts. #15, 16)

**Medical Records** obtained from [REDACTED] documented that on 01 June 2015 at 1845 hours; [REDACTED] was brought in by Chicago Police Department for medical clearance after being arrest at school. Mr. [REDACTED] related that he was not in any pain and refused anyone to assess or touch him. (Att. #34)

**Evidence Technician Photographs** did not depict any injury to Mr. [REDACTED] forehead. There was a small scratch observed on the right side of Mr. [REDACTED] neck. (Att. #39)

**Video** from POD # [REDACTED] was obtained and viewed. The video did not depict any images or activity relative to an incident that occurred on 29 May 2015. (Atts. #36, 37)

The **Department Reports** (RD # [REDACTED], Event # [REDACTED]) documented that [REDACTED] and [REDACTED] were arrested and charged with one count each of reckless conduct, two counts each of resisting an officer, two counts each of simple assault, and one count each of aggravated assault to a police officer. In addition, [REDACTED] was arrested and charged with one count of reckless conduct. On 29 May 2015, at 1330 hours, Officers James Olszanski #18448 and Robert Poholik #10721 were at [REDACTED] during dismissal. Officers Olszanski and Poholik observed Mr. [REDACTED], Mr. [REDACTED] and Mr. [REDACTED] standing on the sidewalk, blocking the flow of pedestrian and student foot traffic. Officers Olszanski and Poholik asked the three subjects to the leave the area, in which the subjects began yelling profanities and threatening the officers while still blocking foot traffic, causing a breach of peace. The subjects then fled and were later identified through the [REDACTED] student profile. On 01 June 2015, Mr. [REDACTED], Mr. [REDACTED] and Mr. [REDACTED] were removed from class by CPS Security and escorted to the police room. Officers Olszanski and Poholik informed the subjects that they were under arrest due to their actions that occurred on 29 May 2015. Mr. [REDACTED] and Mr. [REDACTED] became combative and threatened the officers by stating words to the effect of, "I'm going to kick your fucking ass." Mr. [REDACTED] and Mr. [REDACTED] began pushing and kicking at the officers in an attempt to defeat arrest. All three subjects were placed into custody and transported to 012<sup>th</sup> District for processing. (Atts. #19, 22, 27, 28).

**Incident Reports** were obtained from [REDACTED]. The reports related, in essence, the same information as the department reports. [REDACTED] violated 5-

12<sup>13</sup> when he resisted arrest from police officers after he disrespected and threatened them two days earlier. When resisting arrest, Mr. [REDACTED] injured a police officer. (Att. #38)

A **Tactical Response Report** completed by Officer Robert Poholik, #10721 documented that [REDACTED] "did not follow verbal direction," "stiffened," "pulled away," was "kicking and swinging arms," and was an "imminent threat of battery." Officer Poholik responded with "member presence," "verbal commands," and "take down/emergency handcuffing." (Att. #20)

A **Tactical Response Report** completed by Officer James Olszanski, #18448 documented that [REDACTED] "did not follow verbal direction," "stiffened," was "kicking and swinging arms," "pulled away," was an "imminent threat of battery." Officer Olszanski responded with "member presence," "verbal commands," "escort holds," and "take down/emergency handcuffing." (Att. #21)

A **Tactical Response Report** completed by Officer Robert Poholik, #10721 documented that [REDACTED] "did not follow verbal direction," "stiffened," "pulled away," was "kicking and swinging arms," and was an "imminent threat of battery." Officer Poholik responded with "member presence," "verbal commands," "escort holds," and take down/emergency handcuffing." (Att. #25)

The **Officers Battery Report** for **Officer Robert Poholik, #10721** documented that he received non-fatal; minor injury when arresting [REDACTED]. (Att. #26)

A **Tactical Response Report** completed by Officer James Olszanski, #18448 documented that [REDACTED] "did not follow verbal direction," "stiffened," was "kicking and swinging arms," "pulled away," was an "imminent threat of battery." Officer Olszanski responded with "member presence," "verbal commands," "escort holds," and "take down/emergency handcuffing." (Att. #23)

The **Officers Battery Report** for **Officer James Olszanski, #18448** documented that he received non-fatal; minor injury when arresting [REDACTED]. (Att. #24)

Several attempts made to interview [REDACTED] and [REDACTED] were unsuccessful. Mr. [REDACTED] failed to show up to two scheduled statements and Mr. [REDACTED] failed to reply to any telephone calls and letters. (Atts. #35, 40-42)

## CONCLUSION:

The Reporting Investigator recommends a finding of **Unfounded** for **Allegations #1-7** against **Officer James Olszanski #18448** in connection to this case in accordance with the S.O. 08-01-01, Section II, item C-10, which states that an investigation should be terminated "when it

---

<sup>13</sup> 5-12 refers to unwanted bodily contact with another person without legal justification.

is determined at any time that the complaint is unfounded or the member exonerated” and that no Department members address any allegations in any way or clearly exonerated. This investigation revealed that [REDACTED] and [REDACTED] contradicted themselves throughout their statements. Ms. [REDACTED] admitted that she was upset and angry when she entered [REDACTED] and encountered Officer Olszanski. Ms. [REDACTED] admitted to directing profanities to Officer Olszanski before she “aggressively burst” into the room. Officer Olszanski was met with profane language and had the right to address Ms. [REDACTED] in a forceful manner. Ms. [REDACTED] behavior continued when she entered the room and encountered Officer Poholik. Ms. [REDACTED] and Mr. [REDACTED] contradicted themselves in regards to which officer threw Mr. [REDACTED] to the ground and pushed him into the chalkboard. It was documented in the department reports and [REDACTED] incident report that Mr. [REDACTED] became combative, threatened the officers and resisted arrest. Officer Olszanski’s actions were documented in his Tactical Response Report. Further, medical records documented that Mr. [REDACTED] refused treatment and did not complain of any injuries. Mr. [REDACTED] admitted to “mouthing off” to the officers the prior week and Ms. [REDACTED] related that Mr. [REDACTED] referred to the officers as “bitch ass niggers” in her presence. Efforts to contact witnesses were unsuccessful. The C/B photo and evidence technician photographs did not document any injuries to Mr. [REDACTED] forehead. Officer Olszanski’s information was included in the reports provided to Ms. [REDACTED]. The alleged misconduct by an Officer Olszanski will not be further addressed as the investigation proved the complainants’ allegations lack credibility.

The Reporting Investigator recommends a finding of **Unfounded** for **Allegations #1-9** against **Officer Robert Poholik #10721** in connection to this case in accordance with the S.O. 08-01-01, Section II, item C-10, which states that an investigation should be terminated “when it is determined at any time that the complaint is unfounded or the member exonerated” and that no Department members address any allegations in any way or clearly exonerated. This investigation revealed that [REDACTED] and [REDACTED] contradicted themselves throughout their statements. Ms. [REDACTED] admitted that she was upset and angry and “aggressively burst” into the room. Officer Poholik was met with profane language and had the right to address Ms. [REDACTED] in a forceful manner. Ms. [REDACTED] and Mr. [REDACTED] contradicted themselves in regards to which officer threw Mr. [REDACTED] to the ground and pushed him into the chalkboard. It was documented in the department reports and [REDACTED] incident report that Mr. [REDACTED] became combative, threatened the officers and resisted arrest. Officer Poholik actions were documented in his Tactical Response Report. Further, medical records documented that Mr. [REDACTED] refused treatment and did not complain of any injuries. Mr. [REDACTED] admitted to “mouthing off” to the officers the prior week and Ms. [REDACTED] related that Mr. [REDACTED] referred to the officers as “bitch ass niggers.” Efforts to contact witnesses were unsuccessful. The C/B photo and evidence technician photographs did not document any injury to Mr. [REDACTED] forehead. Officer Poholik’s information was included in the reports provided to Ms. [REDACTED]. The alleged misconduct by an Officer Poholik will not be further addressed as the investigation proved the complainants’ allegations lack credibility.

The Reporting Investigator recommends a finding of **Unfounded** for **Allegation #1** against an **Unknown Officer** in connection to this case in accordance with the S.O. 08-01-01, Section II, item C-10, which states that an investigation should be terminated “when it is determined at any time that the complaint is unfounded or the member exonerated” and that no Department members address any allegations in any way or clearly exonerated. There were no witnesses to substantiate the allegation that an unknown officer made an obscene gesture by displaying his middle finger to Mr. [REDACTED]. Further, Mr. [REDACTED] did not provide any details about the officer in his statement. The alleged misconduct by an unknown officer will not be further addressed as the investigation proved that the complainants’ allegations lack credibility.